

#16

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ARTHUR R. HAIR

Serial No. 07/586,391

Filed: September 14, 1990

Art Unit 239

Patent Examiner:

TRANSMISSION SYSTEM

Pittsburgh, Pennsylvania 15222 CERTIFICATE OF MAILING December 13, 1990

1 124

Assistant Commissioner of Patents Crystal Park 2 Suite 923 Washington, D.C. 20231

Sir:

RECEIVED

DEC 17 1990

ASSISTANT COMMISSIONER'S OFFICE

PETITION

I hereby certify that the correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231,

> Ansel M. Schwartz Registration No. 30,587

> > 12/14/90

This Petition is for removal of designation of improper file wrapper continuation under 37 C.F.R. 1.62 with no filing date granted.

Applicant's file wrapper continuation for the above-identified patent application was filed by Express Mail on September 14, 1990. A Declaration in support of this fact is included. This Declaration is by Tracey L. Milka, the secretary who physically placed the subject application into Express Mail on September 14, 1990. Accordingly, the above-identified application should have received a filing date of September 14, 1990 in the mail room as per 37 C.F.R. \$1.10 (copy attached), but instead incorrectly received a date of September 18, 1990, making it an 120.00 CK

080 DF 12/21/90 07586391

improper file wrapper continuation under C.F.R. 1.62 and received no filing date.

Furthermore, on October 30, 1990, essentially as soon as Applicant received the incorrect filing date and before receipt of your October 31, 1990, letter, Applicant filed a form requesting a corrected filing receipt (see Enclosure D).

Enclosed you will find a \$120.00 petition fee, but since this was a Patent Office error, please return the fee. Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 03-2411. A duplicate copy of this Petition is enclosed.

Applicant therefore requests that the subject patent application be afforded a proper filing date of September 14, 1990, instead of the incorrect filing date of September 18, 1990 and the subject application be permitted to continue to be prosecuted to allowance.

CERTIFICATE OF MAILING

I hereby certify that the correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and

> Ansel M. Schwartz Registration No. 30,587

Respectfully submitted,

ARTHUR R. HAIR

M. Schwartz, Ansel

Reg. No. 30,587

Cohen & Grigsby 2900 CNG Tower

625 Liberty Avenue

Pittsburgh, PA 15222

(412) 394-4900

Attorney for Applicant

CUHEN & GRIGSB1

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09/12/90

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AMOUNT

185.00

\$****185.00* ...

ENCLOSURE A



PATENT

2102.001 CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.

	Anticipated Classification of this application:				
	Class Subclass				
	Prior application:				
	Examiner: H. Nguyen				
	Art Unit: 239				
Box FWC Commissioner of Patents and Trademarks Vashington, D.C. 20231					
FILE	WRAPPER CONTINUING APPLICATION (FWC) (37 CFR 1.62)				
WARNING:	G: This form cannot be used where the parent case may not be abandoned since the filing of a request under the FWC procedure "will be considered to be a request to expressly abandon the prior application as of the filing date granted to the continuing application." 37 CFR 1.62(g).				
WARNING:					
WARNING:	The filing of an application as the United States stage of an international application requires a oath or declaration. 37 CFR 1.61(a)(4).				
WARNING:	3: The claims of this new application may be finally rejected in the first Office action where all claims of the new application are drawn to the same invention claimed in the earlier application are would have been properly finally rejected on the grounds or art of record in the next Office action they had been entered in the earlier application. MPEP § 706.07(b).				
WARNING:	An application under 37 CFR 1.62 is filed by making changes by amendment to the prior application, 37 CFR 1.62(a), and not by filing a new application.				
WARNING: Filing under 37 CFR 1.62 is permitted only if filed by the same or less than all the inventors named in the prior application.					
. This is a CFR 1.62, fo	request for a filing under the file wrapper continuing application procedure, 37 or a				
· XX (continuation				
$\overline{\Box}$	divisional				
	continuation-in-part (for oath or declaration see III below)				
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L					
	CERTIFICATION UNDER 37 CFR 1.10				
xess Mail Pos	that this FWC transmittal and the documents referred to as attached therein are being deposited d States Postal Service on this date September 14, 1990 in an envelope as "Exst Office to Addressee" mailing Label Number MB137703489 addressed to oner of Patents and Trademarks Washington, D.C. 20231. Tracey L. Milka				
	(Type or print name of person mailing paper)				
NOTE: For	(Signature of person mailing paper)				
the	ch paper or fee filed by "Express Mail" has the number of the "Express Mail" mailing label placed reon prior to mailing. 37 CFR 1.10(b).				

(FWC [4-2]—page 1 of 9)

PBUED77EUBM Commissioner of Patents and Telephone Number Washington, D.C. Trademarks NEOFICE TO SERVICE TO CUSTOMER RECEIPT Waiver of Signature and Indemnity (Domestic Only) 2102.001 COM Pittsburgh, PA 15222 525 Liberty Avenue Schwartz, Cchen & Grigsby 2900 CNG TOWER ORIGIN Ansel M. Cur Ref: By 12 Noon

AMS:tlm

the Patent Office on this card will be taken as an The dating stamp of indication that the accompanying paper was filed.

Paper Mailed 9/14/90 Ser. No. _

ENCLOSURE

Atty's File No. 2102.001 CONT

ONE-MONTH EXTENSION OF TIME SE FILE WRAPPER CONTINUING PRELIMINARY AMENDMENT + one duplifiente copy copy of PETMION FOR APPLICATION (FWC) (37 CFR 1.62)

#0009031 for C&G CK: #0 \$185.00



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Arthur R. Hai	ir		•
Serial No.: 07 / 586,391	Group No.:	239	
Filed: September 14, 1990	Examiner:		RECEIVED
For: TRANSMISSION SYSTEM			DEC 17 1990
Commissioner of Patents and Tradema		ASSISTANT	
Washington, D.C. 20231		•	COMMISSIONER'S OFFICE
REQUEST FOR COR	RECTED F	ILING RECEII	PT .
1. Attached is a copy of the official filing r cation for which issuance of a corrected fil			
2. There is an error in that the following da	ta is:	.	
incorrectly entered			
and/or			ч
omitted			•
Applicant's name			
Applicant's address			
☐ Title			
Filing Date	. •		
Serial Number			
☐ Foreign/PCT Application F	Reference		
☐ Other	•	·	•
			•
in that the filing receipt should read as folk	ows: 9/	14/90	· · · · · · · · · · · · · · · · · · ·
CERTIFICATE O	F MAILING (37	CFR 1.8a)	
I hereby certify that this paper (along with any paper with the United States Postal Service on the date she velope addressed to the: Commissioner of Patents a	own below with	sufficient postage a	s first class mail in an en-
	Tracey	L. Milka	
1122/90	(Type or prin	t name of person mai	ling paper)
Date: 10 30 10	\int_{a}^{b}	P. 4	Tilka)
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	/a.B.iainie c	- Porport maining pa	, ,

(Request for Corrected Filing Receipt [5-8]—page 1 of 2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
ARTHUR R. HAIR	
Serial No. 07/586,391	
Filed: September 14, 1990	TRANSMISSION SYSTEM RECEIVED
Art Unit 239	
Patent Examiner:) DEC 17 1990
	ASSISTANT COMMISSIONER'S OFFICE
	Pittsburgh, Pennsylvania 15222

November 29, 1990

Assistant Commissioner of Patents Crystal Park 2 Suite 923 Washington, D.C. 20231

Sir:

DECLARATION

I, Tracey L. Milka, am employed as a patent secretary for the law firm of Cohen & Grigsby.

I obtained a check for \$185.00 on September 12, 1990 (see Enclosure A) and mailed the above-identified patent application with this check by Express Mail on September 14, 1990, as evidenced by the certification under 37 C.F.R. \$1.10 (see Enclosure B).

As a substantial part of my job, I file many patent applications, and I always do this by Express Mail. So far, all the applications I have ever mailed (at least more than 100) by

followed the same procedure in mailing and filing the above-identified patent application as I always do and am unaware of any reason why the above-identified patent application should not receive a filing date of September 14, 1990, the date that I placed the above-identified patent application in Express Mail.

Also enclosed is a copy of the return receipt card (see Enclosure C) showing that the above-identified patent application, Preliminary Amendment and copy of Petition for One-Month Extension of Time was mailed on September 14, 1990, but received a mail room stamp of September 18, 1990.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements in the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.